New Red Probers

The special State Commission on Communism had expired today but its final report urging that a new and similar group be established was expected to receive serious consideration by the Legist lature.

lature

Lin asking that another commission be authorized "to guard against subversion" and boring from within" the report also called for retention in the Deptiof Public Safety of a division of subversive activities.

The final reopri cites: "The commission believes that the investigation it made and the information it secured and published was of real value to the Commonwealth, the Legislature and its citizens."

Due to be dissolved a year and the citizens."

Due to be dissolved a year and the regislature.

It pointed out that Congress falled to take any action to preserve the rights of the states in moving a g a in st subversion, after the U. S. Supreme Court in April, 1956, ruled that Congress had superceded the power of the states to prosecute for sedition against the U. S.

The report stated the effect of the court ruling was to suspend state laws regarding criminal subversion and resulted in the dismissal in Massachusetts courts of indictments, against individuals accused of subversive actions against the Federal government.

"The commission feels," the report adds, "that investigations

sive actions against the Federal government.

"The commission feels," the report adds, "that investigations such as this commission has conducted are essential and profitable. The Legislature dwest to itself the obligation to investigate and be informed of those parties and organization which have for their purpose the yoldent overthrow) of hour

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Communism Probe 2.

A public hearing was demanded vesterday by the Civil Liberties Union of Massachu setts on a pending bill to revive alice anegial legislatiw communistic and other subjective activities. The bill is now before the House Ways and Means Committee.

CC: Bureau

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The Commonwealth of Wassachusetts

TWELFTH AND FINAL REPORT

SPECIAL COMMISSION

COMMUNISM, SUBVERSIVE ACTIVITIES AND RELATED MATTERS WITHIN THE COMMONWEALTH

JANUARY 23, 1050

COMMONWEALTH OF MASSACHUSETTS DEPT. OF PUBLIC SAFETY DIV. OF SUBVERSIVE ACTIVITIES ROOM 111A - STATE HOUSE BOSTON 33, MASS.

HORTON WILDLIT & POTTER PRINTING COMPANY RE DISTURB BUILDING

PJC Buch Aller (SON)

The Commonwealth of Massachusetts

MEMBERSHIP OF THE COMMISSION.

Appointed by the President, Son, Philip G. Bowken, Chairman, Son, James W. Hennigan, Ju,

Appointed by the Speaker of the House, Rep. John T. Tynan, Vice-Chairman, Rep. Rogen A. Sala, Rep. Whatam I. Randaha

Appointed by the Governor, Hon. Gwondo W. Cashaan,

THOMAS II. BURSNAHAN, Comusel.

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The Commonwealth of Wassachusetts

LETTER OF TRANSMITTAL.

JANUARY 23, 1969.

To the Honorable Senate and House of Representatives.

We, the undersigned members of the Special Commission on Communism, Subversive Activities and Related Matters within he Commonwealth, authorized to make a study and investigation under a resolve approved in 1953, herewith submit its twelfth and nal report.

Respectfully submitted,

PHILIP G. BOWKER,

Chairman.

JOHN T. TYNAN,

Vice-Chairman.

GEORGE W. CASHMAN.
JAMES W. HENNIGAN, JR.
ROGER A. SALA.

The Commonwealth of Wassachuseus

TWELFTH AND FINAL REPORT OF THE SPECIAL COMMISSION ON COMMUNISM, SUBVERSIVE ACTIVITIES AND RELATED MATTERS WITHIN THE COMMONWEALTH.

This is the twelfth and final report to Your Honorable Bodies of this Special Commission to study and investigate Communism and subversive activities and related matters in the Commonwealth

In its eleventh report, filed January 27, 1958, the Commission requested an extension of a year. Your Honorable Bodies granted the extension.

The Commission's request for extension was based upon the hope that the Congress of the United States would amend the Smith Act and give back concurrent jurisdiction to the State to prosecute for sedition against the United States.

The Commonwealth of Massachusetts, through your Honorable Bodies, memorialized Congress to pass resolutions preserving to the States the right to enforce legislation against treason, sedition and subversive activities. We quote below the resolutions:

Viereus. The Supreme Court of the United States in the case of Pennsylvania.

versus Nelson, decided April 2, 1956, held that Congress has supersaded the power of the states to prosecute for scrittion against the United States; and

Whereas, The court based its decision on an implied intent of Compress which would be negatived by an express provision in the law showing no intent to super-sede; and

Whereas. The decision of the court has made it impossible for the commonwealth fully to protect its government and its people against subversive groups; therefore be it

Resolver. That the General Court of Massachusetts respectfully urges the Congress of the United States to enact legislation to preserve to the states the right to enforce legislation against treason, sedition and subversive activities; and be it further

Resolved. That the General Court of Massachusetts respectfully tages the Congress of the United States to amend the Smith Act of nineteen hundred and forty to show an intent of Congress not to supersede the power of the States to prosecute sedition against the United States; and he it further

Resolved. That copies of these resolutions be sent forthwith by the Secretary of State to the President of the United States, to the presiding officer of each branch of the Congress, and to each of the members thereof from this Commonwealth.

1959.1

Members of your Commission appeared before a committee of the Congress of the United States in support of the above resolutions and it was hopeful a year ago, when the extension was requested, that the United States Congress would act. No such resolutions to preserve to the States the right to enforce legislation against treason, sedition and subversive activities has since been passed.

The effect of the Nelson decision was to suspend state laws regarding criminal subversion and resulted in the dismissal of indictments in the courts of this Commonwealth against individuals charged with subversive acts against the United States.

The Commission is still firmly of the opinion that is is essential and vital to the welfare of the individual States to guard against subversion and boring from within. It is the opinion of the Commission that state legislatures should have concurrent jurisdiction with the Federal government with respect to the enactment of laws regarding subversion. It also feels that investigations such as this Commission has conducted are essential and profitable. An enlightened Legislature is a more efficient Legislature. And the Legislature owes to itself the obligation to investigate and be informed of those parties and organizations which have for their purposes the violent overthrow of our nation and our Commonwealth.

The Commission believes that the investigation it made and the information it secured and published was of real value to the Commonwealth, its Legislature and its citizens. It recommends the issue is of such vitality that a further commission be created with the powers and duties similar to this Commission which now passes out of existence.

Upon recommendations of this Commission the Legislature set up a Division of Subversive Activities within the Department of Public Safety. This division is headed by Captain Daniel I. Murphy of the State Police. It is an efficient body and it is absolutely mandatory that this Division be continued.

MINORITY REPORT OF WILLIAM I RANDALL

I agree in general with the report of the commission but do not believe that still another commission be created with the same powers and duties as this commission. I do not see how a new commission can do anything that the old commission did not do. Further, it seems to me the whole subject of commission in this state has been thoroughly looked at and that further investigation is not called for.

WILLIAM E RANDALL



DIRECTOR, FBI (100-405669)

SAC, BOSTON (100-28770)

3235

SPECIAL COMMISSION TO STUDY AND INVESTIGATE COMMUNISM AND SUBVERSIVE ACTIVITIES AND RELATED MATTERS WITHIN THE COMMONWEALTH, aka Massachusetts Commission on Communiam

Re Boston airtel 2/10/58.

Captain Director of the Division of Subversive Activities, State House, Boston, Mass., advised 6/4/59 that legislation had been sponsored by the Archdiocesan Council of Catholic Men and Women to revive the so-called Massachusetts Commission on Communism, which had ceased to exist on 2/1/59. Capt. stated that the legislation; was passed by both the House and Senate of the Commonwealth of Mass., and on 6/2/59 Governor FOSTER FURCOLO signed the resolve reviving and continuing the Commission for another year.

No appointments have been made to the Commission as yet, according The Bureau will be advised of the to Captain identities of members of the Commission when their appointments

Boston

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intensive investigation of subversive activity awith the required wealth.

The commission, which ex-pired beth was officially re-vived a couple of weeks ago. But it showed few signs of life until Monday's rulings by the U.S. Supreme Court affirming In broad terms the powers of state investigating agencies.

The relative inactivity of the Massachusetts Commission

the Massachusetts Commission during the past year was a dislons by the Supreme Court, which were clarified this week.



The court held in the Nelson case three years ago that Congress had pre-empted the field of sedition to the federal government. This was generally

The court this week answered questions which were left unanswered by the Nelson and Walkins rulings, and cleared away the confusion they had engendered in some quarters,

interpreted as meaning that state sedition laws were superseded by federal statutes.

Later, in the Watkins case the Supreme Court laid fown rules governing the canduot of congressions and legislative investingations. One point it made was that a "particular inquiry" had to be "justified by a specific to protect its government and tegislative need."

The court this week answered "The Commission did little in-

The Commission did little investigating during the past year, and its last report to the Legislature covered only two pages.

way the confusion they had engendered in some quarters.

The Nelson decision, it said, and the first the protect themselves, again a sequence of the right to protect themselves, again a sequence of the right to protect themselves, again a sequence of the right to protect themselves, again a sequence of the right to protect themselves, and supplies a sequence of the right to protect themselves, and supplies the sequence of the court said unit of the court said unit opposed the resolves the constitutional power the ludical protection of the basis on the motives which sourced the exercise of the power.

After the Nelson and Watkins ettal commission on Communism was openly defined by many witnesses summoned before it.

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These winesses, who included secret members of the formulation that the commission from pursuing its invokable to the power.

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SPECIAL COMMISSION TO STUDY AND INVESTIGATE COMMUNISM, SUBVERSIVE ACTIVITIES AND RELATED MATTERS IN THE COMMONWEALTH OF MASSACHUSETTS, aka

Re Boston letter to the Bureau dated June 24,

On June 29, 1959, Captain

Director, Division of Subversive Activities, State House,
Boston, Massachusetts, advised that Representative
GEORGE By THOMPSON, Swampscott, Massachusetts has been appointed to the above commission as a member of the House of Representatives in the place of Representative WILLIAM Ty RANDALL, who resigned.

no meetings of the commission since it has been reinstituted and there are no plans for any hearings in the immediate future by the commission.

9 - Bureau (100-405669) (RM) 1 - Boston (100-28770)

100 28770-56

THE COMOTIEN AND OPPOSED AND THE

MEMBERSHIP OF THE COMMISSION.

Appointed by the President

Sen Richard R. Caples, Chairman

Sen John F. Parker

Appointed by the Speaker of the House

Rep. John J. Tynan, Vice Chairman

Rep. Roger A. Salawan

Rop. George B. Thomson

Rep. Balph W. Cartwright, Jr.

Appointed by the Governor

Hon. George W. Cashman

Thomas H. Bresnahan, Counsell

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Filed by the Clerk of the House Jan. 25, 1960 and signed by all members of the Commission on Communism.

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THE COMMONWEALTH OF MASSACHUSETTS

LETTER OF TRANSMITTAL

January 22, 1960

We, the undersigned members of the Special Commission on Communism, Subversive Activities and Related Matters within the Commonwealth, authorized to make a study and investigation under a resolve approved in 1953, and further continued and revived by Chapter 51 of the Resolves of 1959, herewith submit its thirteenth report.

Respectfully submitted,

	Vice Chairman
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THE COMMONWEALTH OF MASSACHUSETTS

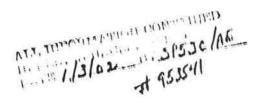
THIETEENTH REPORT OF THE SPECIAL COMMISSION ON COMMUNISM, SUBVERSIVE ACTIVITIES AND RELATED MATTERS WITHIN THE COMMONWEALTH.

This is the thirteenth report to YOUR HONORABLE BODIES of the Special Commission to Study and Investigate Communism and Subversive Activities and Related Matters in the Commonwealth.

The forces of subversion are still active, diligent and persevering. Communism is still alive and alert. In numbers the Party is small; in zeal its threat is vibrant. It bears constant watching.

Your Commission believes that continued legislative inquiry into forces that would seek the violent overthrow of our national and state governments is essential for the preservation of our welfare and our way of life. It believes that its existence is a deterrent to the recruiting of new members to subversive organizations and a handloap to the spread of their false doctrines. It soknowledges the great aid which it has received by the investigations of the Pivision of Subversive Activities of the Department of Public Safety under the direction of Captain Daniel I. Murphy.

Your Commission respectfully but firmly asks for an extension of its authority and obligations. It requests that it be continued in existence by the ensetment of the attached proposed resolution marked "Appendix A".



SAC, BOSTON (100-28770)

SPECIAL COMMISSION TO STUDY AND INVESTIGATE COMMUNISM: SUBVERSIVE ACTIVITIES AND VELATED MATTERS IN THE COMMONWEALTH OF MASSACHUSETTS.

Re Boston letter dated July 14, 1959.

On Jan. 26, 1960, Captain

Director of the Division of Subversive Activities, State
House, Boston, Mass., advised that the present personnel
of the Commission are as follows:

Senator RICHARD R. CAPLES, Chairman
Senator JOHN F. PARKER.
Representative JOHN J. TYNAN, Vice Chairman
Representative ROGER A. SALA
Representative GEORGE B. THOMSON
Representative RALPH W. CARTWRIGHT, JR.
The Honorable GEORGE W. CASHMAN
Attorney THOMAS H. BRESNAHAN, Counsel for the
Commission

THE RESERVE OF THE PARTY OF THE

The Commission forwarded to the Senate and House of Representatives of Massachusetts a letter of transmittal dated Jan. 22, 1960, submitting its 13th report.

The 13th report of the Commission stated that the forces of subversion are still active, diligent and persevering. Communism is still alive and alert. In numbers the Party is small; in zeal its threat is vibrant. It bears constant watching.

The Commission then requested that the Senate and House of Representatives continue the Commission on Communism. This resolve was signed by all the members of the Commission and filed with the Clerk of the House on Jan. 25, 1960.

This resolve was signed by all the members of the Commission and filed with the Clerk of the House on Jan. 25, 1960.

The Bureau will be advised of any further information obtained regarding any action taken on this resolve and activities of the Commission, if any are undertaken.

2- Bureau (100-M08669) (RM)
1- Boston (100-28770)
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ALL INFORMATION CONTAINED

100-257725

Red Probe
Legislation to continue the pecial Massachusetts commission, investigating Communism and other subversive activities was given initial approval by the House yesterday by a voice of and without debate. The fill is scheduled to return to the lower branch Monday.

ALL INFORMATION CONTIANIED

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Boston Traveler, Boston, Mass.

Christian Science Monitor,

Boston, Mass.

Daily Record, Boston, Mass.

Date: 3-25-60
Edition: Daily
Author:
Editor: Victor O. Jones
Title: MASS. COMMISSION TO INVESTIGATE
COMMUNISM - IMMISSION
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Submitting Office: Reaton 100-0

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Communism Probe

The special commission investigating Communist activities in Massachusetts would get an extended life until June, logi, under a bill approved by the Senate yesterday. The commission was created in 1953 and has been continued each.

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Editor: Victor 0. Jones Column)
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By Cornellus Dalton

Novai Probe Climex Mean

HE INVESTIGATION of American Nazi Party operations in this state is being conducted in accordance with strict procedural rules which have made the Massachusetts Commission on Communism and Subversive Activities practically immune from criticism.

The special legislative commission occasionally has been subjected to smear attacks by the Communists during its eight years of existence. But it has won high praise from responsible observers including Dean Erwin N. Griswold of Harvard Law School. He once suggested that the state commission could serve as a model for congressional investigating committees.

The preliminary probe

The preliminary probe of the Nazi group has been just about completed by the subversive activities division of the state Department of Public Safety. This division headed by Capt. Daniel L. Murphy, does most of the investigating work for the legislative commission.

Five Massachusetts
men who have had contacts with George Lincoln
Rockwell, self-proclaimed
national fuehrer of the
American Naul Party, will be summened before
the commission within two weeks. In addition,
several witnesses will be called including a
noted handwriting expert.

The commission inquiry will center particularly on the activities of a Boston businessman,
who reportedly has made financial contributions
to Rockwell.

All persons summoned before the commission will be heard first in executive session,
procedure to protect innocent persons. They en
able commission members to determine whether
alpublic hearing is justified, who should be put
of the stand, and the proper area of inquiry.
These and other safeguards adopted by the



Present commission chairman is Sen, Richard R. Caples (D-Allston), Rep. John T. Tynan (D-South Boston) is vice-chairman.

The procedural rules, which have governed the commission for eight years and will be in force for the Nazi hearings, include these major provisions:

1—A majority vote of the seven man commis-sion is required for all decisions and the issu-ance of summenses, and hearings shall be held-only after due notice to all members.

2-The subject of any investigation "shall be clearly stated before the commencement of any hearings," and evidence sought must be "relevant and germane,"

8-Witnesses may be accompanied by counsel, who can advise them of their rights while it on the stand

ty an oral or written statement to clear up any ambiguities.

ambiguities.

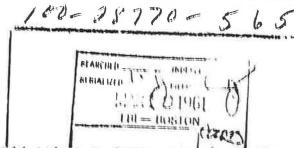
De Any person who believes that testimony adversely affects him may file a sworn state statement or testify in person.

De No information, con pring statement made in executive session reflecting on any person or organisation can be released until the reasonable effort! Is made to afford the person or organisation a chance to be heard.

The photographs, motion picture, television or radio broadcasting of commission are ceedings shall be permitted while a witness in testifying, except by majority vote of the commission.

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(100-775)

DATE: 3/8/61

SUBJECT:

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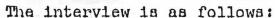
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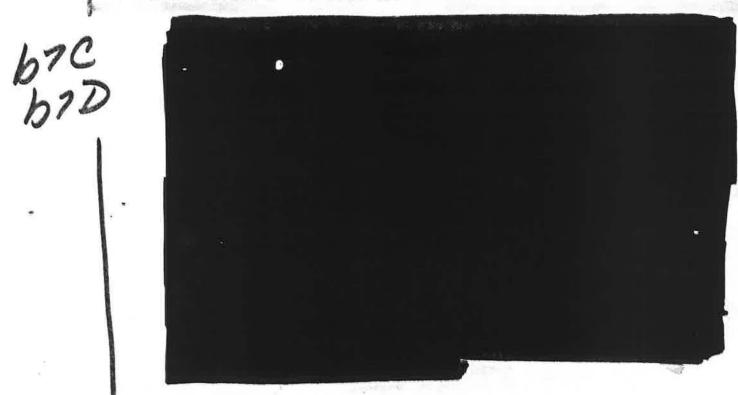
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In view of the sensitivity of this informant, the utmost care must be utilized to carefully protect the identity of the informant, who has furnished reliable information in the past.

The above information is CONFIDENTIAL and should not be made public except in a usual proceeding following the issuance of a subpoena duces tecum.

The person to whom this subnoena should be directed is identified as





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UNITED STATES GOV 1emorandum TO DATE: (100-349078) DIRECTOR, FBI FROM : : (100-775) SAC, BOSTON ALL INFORMATION CONTA SUBJECT: #229668 for inclusion in subject's file is a Attached hereto mimeographed copy of an interview conducted by Additional copies of this interview are also being furnished to the Bureau, attention of the Counterintelligence Program, since Additional copies of this interview are also being designated for the New York Office inasmuch as 67C 67D 4-Bureau (100-349078) (Enc. 2) (RM) (1 - 100-3-104 CPUSA, COUNTERINTELLIGENCE PROGRAM) (Eno.1) (1 - CENTRAL RESEARCH SECTION) (Eno. 1) 6-New York (100-50448) (Rmg. 1) (RM) - 100-23825 - 100-61206 Imo. Eno. 100-25693 Dno. 100-27452 Imo. 100-9365 100 150 32-Boston (100-775) (Enc.1) (See Page 1A for Boston copies)

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              CP - COUNTERINTELLIGENCE PROGRAM (Enc. 1)
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              CP - DOMESTIC ADMINISTRATIVE ISSUES (Enc. 1)
100-26893
              CP - STRATEGY IN INDUSTRY (Enc. 1)
              CP - NEGRO QUESTION
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100-20781
              CP - YOUTH MATTERS
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100-22468
              CP - CULTURAL ACTIVITIES (Enc.
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              CP - VETERANS MATTERS (Enc. 1)
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              CP - NATIONAL GROUP COMMISSIONS (Enc. 1)
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              CP - PAMPHLETS & PUBLICATIONS
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Cover Sheet for Informant Report or Material FG-306 (3-21-58)

TO:

FOIPA DELETED PAGE INFORMATION SHEET

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BS 100-16156

All necessary action has been taken with respect to information furnished above.

OPTIONAL FORM NO. 10
5010-104
UNITED STATES GOVERNMENT

Memorandum

TO : SAC (100-28770)

DATE: 1/29/63

FROM

SUPV.

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SUBJECT:

MASSACHUSETTS COMMISSION ON COMMUNISM

On 1/28/63,
Governor ENDICOTT PEABODY, visited the Boston Office.
On this occasion he confidentially advised that the Mass.
Commission had gone out of existence and the Governor was interested in the following:

- 1. Was the work of the Commission a duplication of the FBI?
- 2. Did the FBI have any objection to State activity in this field?

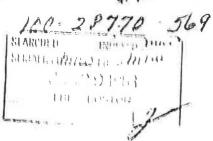
With reference to the foregoing, Mr. was advised there was a possibility of duplication in certain facets of our investigation. However, in the event that any State investigation interfered with an operation of the PBI, we would have no heattation in contacting the appropriate State official and soliciting his cooperation. In the past, State authorities have been most cooperative.

The FBI has no objection whatsoever to the State Leading in the subversive field. We cannot recommend for or against. This is a matter to be decided upon by the State itself.

Mr. also indicated that the matter of might well attain considerable prominence and he desired to know if we had a file on him. He was advised of the confidential nature of Bureau files.

The above matters were discussed with Mr. and SAC E. J. POWERS. The writer was present at this conference.

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